



తెలంగాణ రాజ పత్రము
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HYDERABAD, SATURDAY, JULY 13, 2019.

NOTIFICATIONS BY GOVERNMENT

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LABOUR, EMPLOYMENT, TRAINING & FACTORIES DEPARTMENT
(OP & IMS)

DR. NAGA BHARINI, CIVIL ASSISTANT SURGEON, ESI HOSPITAL, SANATHNAGAR - UNAUTHORIZED ABSENCE FROM DUTY w.e.f 06-09-2013 ONWARDS - NOT REPORTED TO DUTY - INQUIRY CONDUCTED - INQUIRY REPORT COMMUNICATED - SHOW CAUSE NOTICE.

*[Memo.No.1276/OP&IMS/A2/2019, Labour, Employment, Training & Factories (OP & IMS),
29th May, 2019.]*

Ref:- From the DIMS, TS, Hyd. Rc.No. 10564/EIB/2015, Dated: 04-04-2019.

A copy of the enquiry report is herewith communicated to Dr.Naga Bharini, Civil Assistant Surgeon, ESI Hospital, Sanathnagar as required under sub - rule 4 of Rule 21 of Telangana State Civil Service (CCA) Rules, 1991. She is directed to submit her written representation, if any, within 15 days from the date of receipt of this memo.

She is informed that if no reply is received, it would be constructed that she has no representation to submit, and further action will be taken based on the material available on record under the above rule.

Dr. SHASHANK GOEL,
Principal Secretary to Government.

APPENDIX

Inquiry Report

Departmental Inquiry Held against Dr. Naga Bharini, CAS, ESI Hospital, Sanathnagar Located at Nacharam, Hyderabad.

Submitted by Dr. G. Satyanarayana Spl.Gr. Civil Surgeon, ESI Hospital, Sanathnagar Located at Nacharam, Hyderabad.

Inquiry Officer: Dr. G. Satyanarayana Spl.Gr. Civil Surgeon, ESI Hospital, Sanathnagar Located at Nacharam, Hyderabad.

Vide O/o.DIMS TS Hyd., Rc.No.10568/EIB/2015 Dt.05.07.2018.

Under Sub - rule (2) of 20 Civil Services (CCA) Rules of 1991,1 was appointed by the Director of Insurance Medical Services, Telangana State, Hyderabad as the Inquiry Authority to inquire into the charges framed against Dr. Naga Bharini, CAS, ESI Hospital, Sanathnagar Located at Nacharam, Hyderabad Vide O/o.DIMS TS Hyd., Rc.No. 10568/EIB/2015 Dt.05.07.2018.

1. The Charged Officer did not attend the inquiry. A communication sent to her thrice of which she received 1st letter & 2nd reminder and 1st reminder has been returned undelivered with an endorsement that he was not found and that his whereabouts were not known.
2. I have since completed the inquiry on the basis of the documents and evidence adduced before me prepared by Inquiry reports as under.
3. No Officer was appointed as presenting officer by the Disciplinary Authority.
4. The following two articles of charge have been framed against Dr. Naga Bharini, CAS.

Articles 1. That Dr. Naga Bharini appointed as Civil Assistant Surgeon through APPSC and posted at ESI Hospital, Sanathnagar, Hyderabad and she has reported for duty on 30.03.2013 and left the duties w.e.f. 06.09.2013 without prior sanction of leave. She has not reported till to date in spite of the instructions issued by the authorities concerned and continued to be under unauthorized absence from duty which displays her total lack of devotion to duty and hence violated of Rule (3) of A.P.C.S. (Conduct) Rules, 1964.

Articles 2: That the unauthorized absence of Dr. Naga Bharani, Civil Assistant Surgeon, has caused dislocation of the work in ESI Hospital, Sanathnagar, Hyderabad. Her conduct has brought Discredit to her service and created an atmosphere of Indiscipline in the hospital which is unbecoming of a Government servant hence again violation of Rule (3) of A.P.C.S.(Conduct) Rules, 1964.

List of exhibited documents are shown in Annexure -I & list of witnesses as shown in Annexure - II.

Case of the Disciplinary Authority:

5. The Charged Officer absented herself from duty without prior permission and continued to be so till this date, thereby causing dislocation to public service and indulging herself in contravention of rule 3 of AP Civil Services (Conduct) Rules, 1964.
6. The Charged Officer has chosen to be silent. Hence she should be considered to have no defense.
7. Findings of the Inquiry Officer:
 - a. The Director of Insurance Medical Services framed two charges as in para 4 above.
 - b. The Charged Officer was informed to attend Inquiry by Registered Post Ack., due, which were received by the Charged Officer but not attended the Inquiry.
 - c. Thereafter the 2 reminder letters sent to the Charged Officer by Registered post with Ack., due which was returned Ist reminder that no such person at given address.
 - d. There is no response from the Charged Officer end.
 - e. In the absence of a reply from the Charged Officer, denying the charge, both the charges are considered to have been proved conclusively.
 - f. There is a significant change in the procedure as expartie for dealing with such cases of unauthorized absence from duty of Government Servants. According to rule 18 - A of Fundamental rules, introduced through GO Ms.No. 128 Finance Dated:01.06.2007, "A Government Servant shall be deemed to have resigned from service if she is absent with out authorization for a period exceeding one year, provided

that a reasonable opportunity to explain the reason is given to the Govt., Servant before the provision of this rule is invoked” the authorized absence of the charged officer commenced on 06.09.2013. She continues to be absent till now, which extends beyond the date of introduction of the new Fundamental Rule 18-A. Hence the charged officer falls under the purview of the above new rule. The charge memo issued to her takes the place of a reasonable opportunity envisaged in the above new rule. There is no reply whatsoever from the charged officer. After ascertaining that there is no Govt., dues from him, Dr. Naga Bharini, Civil Assistant Surgeon, may be deemed to have resigned from Govt., Service w.e.f., forenoon 06.09.2013.

8. On the basis of documentary evidence adduced in the case before me and in views of the reasons given above, I hold that the following charges are proved against Dr. Naga Bharini, Civil Assistant Surgeon.

Charge No.1: Proved

Charge No.2: Proved

(Sd/-),
Inquiry Officer.

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